



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of: **Levine et al.**

Serial No.: **10/675,721**

Filed: **September 30, 2003**

For: **Method and Apparatus to
Autonomically Select Instructions for
Selective Counting**

35525

PATENT TRADEMARK OFFICE
CUSTOMER NUMBER

§ Group Art Unit: **2191**

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Examiner: **Nahar, Qamrun**

Attorney Docket No.: **AUS920030483US1**

Certificate of Mailing Under 37 C.F.R. § 1.8(a)

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June 22nd 2006

By:

Louise Fay

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Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

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- Supplemental Information Disclosure Statement;
- Form PTO-1449;
- Reference AD; and
- Our return postcard

No fees are believed to be necessary. If, however, any fees are required, I authorize the Commissioner to charge these fees which may be required to Deposit Account No. 09-0447. No extension of time is believed to be necessary. If, however, an extension of time is required, the extension is requested, and I authorize the Commissioner to charge any fees for this extension to Deposit Account No. 09-0447.

Respectfully submitted,


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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:

Levine et al.

Serial No: **10/675,751**

Filed: **September 30, 2003**

Title: **Method and Apparatus to
Autonomically Select Instructions for
Selective Counting**

Group Art Unit: **2191**

Intellectual Property
Law Department
International Business
Machines Corporation
11400 Burnet Road
Austin, Texas 78758

SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

Applicants submit herewith patents, publications or other information of which they are aware, which they believe may be material to the patentability of this application and in respect of which there may be a duty to disclose in accordance with 37 C.F.R. 1.56.

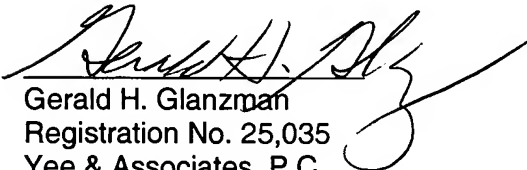
While this Supplemental Information Disclosure Statement may be "material" pursuant to 37 C.F.R. 1.56, it is not intended to constitute an admission that any patent, publication or other information referred to herein is "prior art" for this invention unless specifically designated as such.

In accordance with 37 C.F.R. 1.97(g) the filing of this Supplemental Information Disclosure Statement shall not be construed to mean that a search has been made or that no other material information as defined in 37 CFR 1.56 (b) exists.

No item of information cited in this Supplemental Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application, and, to the knowledge of the person signing the certification after making reasonable inquiry, no item of information contained in this Supplemental Information Disclosure Statement was known to any individual designated in § 1.56(c) more than three months prior to the filing of this Supplemental Information Disclosure Statement.

In the event a fee is required in connection with the enclosed Supplemental Information Disclosure Statement, the Commissioner of Patents and Trademarks is authorized to charge Deposit Account No. 09-0447 for the necessary amount.

Respectfully submitted,



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**INFORMATION DISCLOSURE
STATEMENT BY APPLICANT****Complete if Known**

| | |
|----------------------|-----------------|
| Application Number | 10/675,721 |
| Filing Date | 09/30/2003 |
| First Named Inventor | Levine et al. |
| Examiner Name | Nahar Qamrun |
| Art Unit | 2191 |
| Attorney Docket No. | AUS920030483US1 |

| Examiner Initials | Document Number | Publication Date MM-DD-YYYY | Name of Patentee or Applicant of Cited Document | Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear |
|-------------------|-----------------|--------------------------------|--|---|
| AA | 5,857,097 | 01-05-1999 | Henzinger et al. | |
| AB | 6,820,155 | 11-16-2004 | Ito | |
| AC | 5,745,770 | 04-28-1998 | Thangadurai et al. | |
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FOREIGN PATENT DOCUMENTS

| Examiner Initial | Foreign Patent Document | Publication Date MM-DD-YYYY | Name of Patentee or Applicant of Cited Document | Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear |
|------------------|-------------------------|--------------------------------|--|---|
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NON PATENT LITERATURE

| Examiner Initial | Include name of author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published. |
|------------------|---|
| AD | MERTEN et al., "A Hardware Driven Profiling Scheme for Identifying Program Hot Spots to Support Runtime Optimization", IEEE, 1999, pp. 136-147. |
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Examiner:

Date Considered:

EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

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